



PATENT
Customer No. 22,852
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Mayur MANIAR et al.) Group Art Unit: 3621
)
Serial No.: 09/651,320) Examiner: B. Bayat
)
Filed: August 31, 2000)
) Confirmation No.: 3899
For: METHOD OF ESTABLISHING A)
CREDIT LIMIT)

Attention: Mail Stop Appeal Brief-Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER BOARD RULE § 41.37

In support of the Notice of Appeal filed November 7, 2005, and further to Board Rule 41.37, Appellants present this brief and enclose herewith a check for the fee of \$500.00 required under 37 C.F.R. § 1.17(c).

This Appeal Brief is being filed concurrently with a petition for an Extension of Time for two (2) months, and the appropriate fee.

This Appeal responds to the July 5, 2005, final rejection of claims 1-39; October 5, 2005 Advisory Action, and the January 31, 2006 Notice of Panel Decision from Pre-Appeal Brief Review.

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If any additional fees are required or if the enclosed payment is insufficient, Appellants request that the required fees be charged to Deposit Account No. 06-0916.

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I. Real Party In Interest

Capital One Financial Corporation is the real party in interest.

II. Related Appeals and Interferences

There are currently no other appeals or interferences, of which Appellants, Appellants' legal representative, or Assignee are aware, that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status Of Claims

Claims 1-39 remain pending and under current examination. Claims 1-39 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. *Buchanan et al.* (U.S. Patent No. 5,950,179) in view of *Walker et al.* (U.S. Patent No. 6,088,686). Appellants appeal this rejection. A list of the appealed claims is presented in the attached Appendix A.

IV. Status Of Amendments

Appellants filed a Preliminary Amendment on March 26, 2002, amending claims 1, 4, 5, 11, 12, and 17-24. In response to the first Office Action mailed July 16, 2003, Appellants filed an Amendment on October 16, 2003, amending claims 1, 12, 17, 19, and 21. Appellants filed a Request for Continued Examination with an Amendment on September 21, 2004, further amending claims 1, 12, 17, 19, and 21 and adding new claims 30-39. In response to the Office Action dated December 22, 2004, Appellants filed an Amendment and Request for Reconsideration on March 21, 2005, amending claims 1-39.

All amendments have been entered. No amendments under 37 C.F.R. § 1.116 have been filed.

V. Summary Of Claimed Subject Matter

a. Claim 1

Independent claim 1 is directed to a method for providing a credit card product. In accordance with certain aspects related to the present invention, the method may include associating a financial account with an un-activated credit card that is provided to an applicant. (See, e.g., *Appellants' specification*, p. 11, lines 7-10 and 14-16.) The association of the financial account may, for example, be performed by a computer system configured to communicate with the applicant over a communication network. (See, e.g., p. 8, lines 14-15; and p. 8, line 22 - p. 9, line 3.)

Prior to the credit card being activated, the computer may generate a series of risk splitting questions to the applicant and analyze the applicant's responses to these questions. (See, e.g., p. 11, lines 17-21.) In one aspect, the computer system analyzes an applicant's response to a first risk splitting question. (See, e.g., p. 12, lines 1-2; and FIG. 2, S. 540.) Based on the applicant's response, the computer system may generate a second risk splitting question that is configured to elicit additional information regarding subject matter associated with the first response. (See, e.g., p. 12, lines 2-9.)

Subsequently, the computer system may determine a credit limit for the financial account based on the applicant's responses to the first and second risk splitting questions. (See, e.g., p. 12, lines 13-16.) The computer system may then activate the credit card with the credit limit. (See, e.g., p. 12, lines 20-21; and FIG. 5, S. 570.)

b. Claim 12

Independent claim 12 is directed toward a system for providing a credit card product. In accordance with certain aspects related to the present invention, the system may include means for generating a financial account associated with an un-activated credit card that is provided to an applicant. (See, e.g., p. 11, lines 7-10 and 14-16.) Accordingly, the “means for generating” may be associated with a computing platform, such as a personal computer or mainframe. (See, e.g., p. 9, lines 1-18; and FIG. 2.)

The system may also include means for analyzing a first response to a first risk splitting question provided to the applicant. (See, e.g., p. 12, lines 1-2; and FIG. 5, S. 540.) The “means for analyzing” may comprise components, such as a computing platform, network interfaces, input/output modules, customer representative stations, and voice recognition units. (See, e.g., p. 9, lines 3-7; and FIG. 2.) The system may further include means for generating a second risk splitting question based on the applicant's response to the first risk splitting question, which may be configured to elicit additional information regarding subject matter associated with the response to the first risk splitting question. (See, e.g., p. 12, lines 2-9.) The “means for generating” may also comprise components, such as a computing platform, network interfaces, input/output modules, customer representative stations, voice recognition units, and a database. (See, e.g., p. 9, lines 7-10.)

Additionally, the system may include a means for subsequently determining a credit limit for the financial account based on the applicant's responses to the first and second risk splitting questions. (See, e.g., p. 12, lines 13-16.) Moreover, the system may include a means to then activate the credit card with the credit limit. (See, e.g., p.

12, lines 20-21; and FIG. 5, S. 570.) The “means for subsequently determining a credit limit” and the “means to then activate the credit card” may be accomplished by the same “means for generating.” (See, e.g., p.9, lines 8-10.)

c. Claim 17

Independent claim 17 concerns a computer program product comprising computer-readable media having computer-readable code for effecting the actions of providing a credit card product. In accordance with certain aspects related to the present invention, the computer program product may include program code for identifying an applicant based upon a response to at least a first risk splitting question. (See, e.g., p. 11, lines 15-18.)

The computer program product may also include program code for selecting a second risk splitting question that is configured to elicit detailed information regarding subject matter associated with the first risk splitting question. (See, e.g., p. 12, lines 2-9.) The computer program product may further include program code for incorporating credit bureau information into a calculation of a credit limit. (See, e.g., p. 12, lines 13-16.)

Moreover the computer program product may also include program code for calculating an increase to the credit limit of the credit card product based upon at least the response to the first and second risk splitting question and the credit bureau information. (See, e.g., p. 3, line 22 - p. 4, line 7.)

d. Claim 19

Independent claim 19 concerns a computer program product comprising computer-readable media having computer-readable code for effecting the actions of

providing a credit card product. In accordance with certain aspects related to the present invention, the computer program product may include program code for identifying an applicant based upon a response to at least a first risk splitting question. (See, e.g., p. 11, lines 15-18.)

The computer program product may also include program code for selecting a second risk splitting question that is configured to elicit detailed information regarding subject matter associated with the first risk splitting question. (See, e.g., p. 12, lines 2-9.) The computer program product may further include program code for incorporating credit bureau information into a calculation of a credit limit. (See, e.g., p. 12, lines 13-16.)

Moreover the computer program product may also include program code for calculating a decrease to the credit limit of the credit card product based upon at least the response to the first and second risk splitting question and the credit bureau information. (See, e.g., p. 3, line 22 - p. 4, line 7.)

e. Claim 21

Independent claim 21 is directed to a method for providing a credit card product. In accordance with certain aspects related to the present invention, the method may include associating a financial account with an activated credit card that is provided to an applicant. (See, e.g., p. 11, lines 7-10 and 14-16.) The association of the financial account may, for example, be performed by a computer system configured to communicate with the applicant over a communication network. (See, e.g., p. 8, lines 14-15; and p. 8, line 22 - p. 9, line 3.)

Prior to the credit card being activated, the computer may generate a series of risk splitting questions to the applicant and analyze the applicant's responses to these questions. (See, e.g., p. 11, lines 17-21.) In one aspect, the computer system analyzes an applicant's response to a first risk splitting question. (See, e.g., p. 12, lines 1-2; and FIG. 2, S. 540.) Based on the applicant's response, the computer system may generate a second risk splitting question that is configured to elicit additional information regarding subject matter associated with the first response. (See, e.g., p. 12, lines 2-9.)

Subsequently, the computer system may determine a credit limit for the financial account based on the applicant's responses to the first and second risk splitting questions. (See, e.g., p. 12, lines 13-16.) The computer system may then increase the credit limit for the financial account. (See, e.g., p. 3, line 22 - p. 4, line 7.)

VI. Grounds of Rejection

A. Claims 1-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Buchanan et al.* (U.S. Patent No. 5,950,179) in view of *Walker et al.* (U.S. Patent No. 6,088,686).

VII. Argument

The rejections of claims 1-39 under 35 U.S.C. § 103(a)

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. See M.P.E.P. § 2143. Third, a reasonable expectation of success must exist. See M.P.E.P. § 2143.02. Moreover, each of these requirements must “be found in the prior art, and not based on applicant’s disclosure.” M.P.E.P. § 2143. For at least the following reasons, Appellants respectfully submit the Examiner has failed to establish a *prima facie* case of obviousness in connection with the rejections of claims 1-39.

- a. **The rejection of claims 1-16 and 31-33 under 35 U.S.C. § 103(a) must be reversed because *Buchanan et al.* and *Walker et al.* do not teach or suggest, at least, associating a financial account “with an un-activated credit card that is provided to an applicant.”**

- (i) **Claims 1 and 12**

Appellants respectfully traverse the rejection of claims 1 and 12 under 35 U.S.C. § 103(a) because *Buchanan et al.* and *Walker et al.* do not teach or suggest each and every recitation of claims 1 and 12.

In the Final Office mailed July 5, 2005, the Examiner asserts *Buchanan et al.* discloses associating a financial account with an un-activated credit card that is

provided to an applicant. (See *Final Office Action*, p. 2) (citing to column 3, lines 1-65 of *Buchanan et al.*). However, contrary to the Examiner's assertions, *Buchanan et al.* expressly teaches providing an activated credit card to a customer.

For instance, *Buchanan et al.* discloses a method of issuing a secured credit card where a bank sends solicitations to potential applicants. An applicant may respond to the solicitation via telephone, the Internet, or other means. (*Buchanan et al.*, col. 2, line 56 - col. 3, line 1.) The response may include a signed reply card or a consent to receive a credit card and to make a deposit in a savings account to secure the card. (Col. 3, lines 1-4.) Based on the response, the soliciting bank enters information about the applicant into an application processing system to verify information provided by the applicant. Verification may include requesting additional documentation, such as identification information from the applicant. (Col. 3, lines 13-24.) Once approved, the bank provides the applicant an activated credit card. (Col. 3, lines 25-39.) Subsequently, the bank tracks the status of the credit card and savings account to, if necessary, recalculate the credit limit and status of the card. (Col. 3, line 40 - col. 4, line 7.)

Accordingly, *Buchanan et al.* does not disclose or suggest associating a financial account "with an un-activated credit card that is provided to an applicant," as required by claims 1 and 12. In contrast, *Buchanan et al.* states that the credit card provided to the applicant is "approved," "printed," and "issued"—i.e., it is already activated. (Col. 3, lines 25-27.) The applicant may thus "use[] the advance credit card" without any activation process. (Col. 3, lines 30-37.) Indeed, at step 32 of Fig. 1, *Buchanan et al.* describes that the customer may readily use the activated credit card. (Col. 4, lines 49-

53.) Thus, the credit card provided to the applicant in *Buchanan et al.* is initially activated, not “un-activated.”

Walker et al. also fails to teach or suggest associating a financial account with an “un-activated credit card that is provided to an applicant,” as required by claims 1 and 12. *Walker et al.* discloses a system and method for reviewing and approving credit application requests on-line. (See e.g., *Walker et al.*, Abstract and col. 5 line 65 - col. 6 line 15.) *Walker et al.*, in fact, does not teach or even suggest issuing activated credit cards. Instead, the system disclosed by *Walker et al.* is limited to on-line processing of credit applications. (See e.g., FIGs. 40-51 and corresponding descriptions.)

Moreover, the Examiner does not apply *Walker et al.* to teach the associating step recited in claims 1 and 12. Instead, the Examiner applies *Walker et al.* only for the purported disclosure of factoring a customer’s “maximum debt burden” in determining a credit limit. (*Final Office Action* at p. 3.)

Accordingly, *Buchanan et al.* and *Walker et al.*, whether taken alone or in combination, fail to teach or suggest associating a financial account “with an un-activated credit card that is provided to an applicant,” as required by claims 1 and 12. For at least this reason, a *prima facie* case of obviousness has not been established with respect to claims 1 and 12. Accordingly, Appellants thereby respectfully request that the Board reverse the rejection of claims 1 and 12 under 35 U.S.C. § 103(a).

(ii) Claims 2, 3, 5-11, 13-16, and 30-33

Claims 2, 3, 5-11, 13-16, and 30-33 depend from claims 1 and 12, respectively. As explained above, claims 1 and 12 are distinguishable from *Buchanan et al.* and *Walker et al.* Accordingly, claims 2, 3, 5-11, 13-16, and 30-33 are also distinguishable

from these references for at least the same reasons set forth above in connection with claims 1 and 12. Therefore, Appellants respectfully request that the Board reverse the rejection of these claims under 35 U.S.C. § 103(a) and allow the claims.

- b. The rejection of claims 4 and 23 under 35 U.S.C. § 103(a) must be reversed because *Buchanan et al.* and *Walker et al.* do not teach or suggest a credit card that “is provided to the applicant without informing the applicant of the temporary credit limit,” as recited in these claims.**

(i) Claims 4 and 23

Buchanan et al. and *Walker et al.* fail to disclose providing an applicant with a credit card and not informing the applicant of the temporary credit limit. For example, *Buchanan et al.* discloses that [t]he advance credit card has a modest credit limit, such as few hundred dollars,” and “[i]f the customer uses the advance credit card and thereafter fails to make the minimum payments, the customer’s credit rating may be affected.” (*Buchanan et al.*, col. 3, lines 29-39.) *Buchanan et al.* is wholly silent about not “informing the applicant of the credit limit,” as claimed.

Likewise, *Walker et al.* fails to disclose the above claim recitation. In fact, *Walker et al.* discloses that once an application is approved, the terms of the offer is presented to the applicant for approval. (See e.g., *Walker et al.*, col. 16, lines 52-61.) Further, *Walker et al.* discloses that the offer presented to the applicant may be a “counter offer” that indicates a “smaller credit amount.” (See col. 16, lines 62-64.)

Therefore, because *Buchanan et al.* and *Walker et al.* do not support the rejection of claims 4 and 23 under 35 U.S.C. § 103(a) as asserted by the Examiner, Appellants respectfully request that the Board reverse the rejection and allow the claims.

c. **The rejection of claims 1-39 under 35 U.S.C. § 103(a) must be reversed because *Buchanan et al.* and *Walker et al.* do not teach or suggest “first risk splitting question” and “second risk splitting questions,” as recited in these claims.**

(i) Claims 1, 12, 17, 19, and 21

Claims 1, 12, and 21 recite, *inter alia*, generating:

a second risk splitting question based on the first response for provision to the applicant, the second risk splitting question being configured to elicit additional information regarding subject matter associated with the first response.

Claims 17 and 19 recite, *inter alia*:

program code for selecting a second risk-splitting question based on the response to the first risk-splitting question, wherein the second risk-splitting question is configured to elicit detailed information regarding subject matter associated with the first risk-splitting question.

The Examiner admits that *Buchanan et al.* fails to disclose the above claim recitations. (See *Office Action*, pp. 2-3.) However, the Examiner maintains that *Walker et al.* makes up for the deficiency of *Buchanan et al.* Appellants disagree for the following reasons.

Walker et al. discloses a system and method for automatically processing credit applications. (See, e.g., *Walker et al.*, col. 1, lines 55-67.) In particular, *Walker et al.* discloses processing credit applications by “analyz[ing] an applicant’s credit bureau history, automated credit scoring, credit policies and the applicant’s new or existing relationship with the financial institution.” (Col. 2, lines 16-19.) The application, and the information entered therein, may be in electronic format. (See e.g., col. 10, lines 15-30.) However, contrary to the Examiner’s assertions, *Walker et al.* does not disclose

generating or selecting a second risk splitting question based on the response to a first risk splitting question, as recited in claims 1, 12, 17, 19, and 21. In fact, the Examiner does not cite to any passages within *Walker et al.* for this specific teaching. Instead, the Examiner states:

Walker, however, teaches a comprehensive system and method for performing on-line credit reviews, assessing credit risks based on factors beyond credit rating and determining a credit limit for any financial product, including a bank card for new customers or current customers (column 7, line 57 -column 9, line 65; see figures 41-44 and associated text for a detailed step by step process). (*Office Action* at p. 3.)

Although *Walker et al.* performs on-line review, based on other “factors” as suggested by the Examiner, this process (i.e., using an applicant’s debt burden to process an application), is not *prima facie* evidence to suggest generating or selecting a second risk splitting question based on a response to a first risk splitting question, as claimed.

For instance, a second risk splitting question as recited in claims 1, 12, 17, 19, and 21, is designed to elicit “additional” or “detailed” information “regarding subject matter associated with the first risk splitting question.” In contrast, the credit application used by *Walker et al.* is “static” in the sense that the questions posed to an applicant are not based on an applicant’s response to a previous question. As discussed in the background section of the present application, there are at least two problems with static questions. First, “responses to the [static] risk-splitting questions may change from the time the application form is completed by the applicant and the time when the credit card is issued and activated.” (*Appellants’ Specification* at p. 3.) Second, the use of static-risk splitting questions does not allow an issuer “to ask different permutations of questions to the applicant based on the applicant’s answers to certain risk-splitting

questions.” (*Id.*) As a result, *Walker et al.* does not disclose analyzing any of this application information as part of “generating” or “selecting a second risk splitting question” based on the information the applicant provided on the application. Instead, *Walker et al.* gathers any additional information, aside from what has been captured by the submitted application, from sources other than the application. (See, e.g., FIG. 41, step 2023; and col. 14, lines 25-27.)

Accordingly, *Buchanan et al.* and *Walker et al.*, whether taken alone or in combination, fail to teach or suggest “a first risk splitting question” and based on the applicant’s response, “generating a second risk splitting question” to elicit additional or detailed information regarding subject matter associated with the first response of the first risk splitting question. As a result, the Examiner has not established a *prima facie* case of obviousness with respect to claims 1, 12, 17, 19, and 21. Appellants thereby respectfully request that the Board reverse the rejection of claims 1, 12, 17, 19, and 21 under 35 U.S.C. § 103(a).

(ii) Claims 2-11, 13-16, 18, 20, 22, and 24-39

Claims 2-11, 13-16, 18, 20, 22, and 24-39 depend from claims 1, 12, 17, 19, and 21, respectively. As explained above, claims 1, 12, 17, 19, and 21 are distinguishable from *Buchanan et al.* and *Walker et al.* Accordingly, claims 2-11, 13-16, 18, 20, 22, and 24-39 are also distinguishable from these references for at least the same reasons set forth above in connection with independent claims 1, 12, 17, 19, and 21. Therefore, Appellants respectfully request that the Board reverse the rejection of these dependent claims under 35 U.S.C. § 103(a).

VIII. Conclusion


For the reasons given above, Appellants respectfully request the reversal of the Examiner's rejection of claims 1-39.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 1, 2006

By: 

Arthur A. Smith
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Appendix A: Listing of Claims Under Rule 41.37(c)(1)(viii)

1. (Previously Presented) A method for providing a credit card product, comprising:
 - associating a financial account with an un-activated credit card that is provided to an applicant, wherein the associating is performed by a computer system configured to communicate with the applicant over a communication network;
 - analyzing, by the computer system, a first response to a first risk splitting question provided to the applicant;
 - generating, by the computer system, a second risk splitting question based on the first response for provision to the applicant, the second risk splitting question being configured to elicit additional information regarding subject matter associated with the first response;
 - determining, by the computer system, a credit limit for the financial account based on the first response and a second response by the applicant to the second risk splitting question; and
 - activating, by the computer system, the credit card with the credit limit.
2. (Previously Presented) The method according to claim 1, wherein associating the financial account includes:
 - generating, for the applicant, the financial account based on prior approval of the financial account based on credit bureau information.
3. (Previously Presented) The method according to claim 2 further including:

assigning a temporary credit limit for the financial account based on the credit bureau information.

4. (Previously Presented) The method according to claim 3, wherein the un-activated credit card is provided to the applicant without informing the applicant of the temporary credit limit.

5. (Previously Presented) The method according to claim 1, wherein analyzing the first response to the first risk splitting question further includes:
inviting the applicant to telephone an issuer to activate the credit card by telephone.

6. (Previously Presented) The method according to claim 5, wherein the method further comprises a live person posing the first and second risk-splitting questions to the applicant and translating the respective first and second responses into a standardized format.

7. (Previously Presented) The method according to claim 5, wherein the method further comprises a voice recognition unit posing the first and second risk-splitting questions to the applicant and requiring that the applicant respond in a standardized format.

8. (Previously Presented) The method according to claim 5, wherein the method further comprises a means for confirming the applicant's responses to the first and second risk-splitting questions.

9. (Previously Presented) The method according to claim 1, wherein the determining the credit limit is based on credit bureau information associated with the applicant and the applicant's first and second responses to the first and second risk-splitting questions.

10. (Previously Presented) The method according to claim 9, wherein determining the credit limit further includes:

determining the credit limit based on external data obtained from an entity that is remote from the computer system.

11. (Previously Presented) The method according to claim 1, wherein activating the credit card comprises cross-selling at least one other product based upon the applicant's responses to at least one of the first and second risk-splitting questions.

12. (Previously Presented) A system for providing a credit card product, said system comprising:

means for generating a financial account associated with an un-activated credit card that is provided to an applicant;

means for analyzing a first response to a first risk splitting question provided to the applicant;

means for generating a second risk splitting question based on the first response for provision to the applicant, the second risk splitting question being configured to elicit additional information regarding subject matter associated with the first response;

means for determining a credit limit for the financial account based on the first response and a second response by the applicant to the second risk splitting question; and

means for activating the credit card with the credit limit.

13. (Previously Presented) The system according to claim 12 further comprising:

means for receiving the first and second response from the applicant via the Internet; and

means for activating the credit card via the Internet.

14. (Previously Presented) The system according to claim 13, further comprising means for assigning a temporary credit limit for the financial account based on credit bureau information.

15. (Previously Presented) The system according to claim 14, further comprising means for confirming the applicant's answers to the risk-splitting questions.

16. (Previously Presented) The system according to claim 15, wherein the means for determining a credit limit includes means for analyzing credit bureau information and the first and second responses to determine the credit limit.

17. (Previously Presented) A computer program product for providing a credit card product, the computer program product comprising computer-readable media having computer-readable code, the computer program product comprising the following computer-readable program code for effecting actions in a computing platform:

program code for identifying an applicant based upon a response to at least a first risk-splitting question;

program code for selecting a second risk-splitting question based on the response to the first risk-splitting question, wherein the second risk-splitting question is configured to elicit detailed information regarding subject matter associated with the first risk-splitting question;

program code for incorporating credit bureau information into a calculation of a credit limit; and

program code for calculating an increase to the credit limit based upon (a) at least one of the response to first risk-splitting question and a second response to the second risk-splitting question and (b) the credit bureau information.

18. (Previously Presented) The computer program product according to claim 17, wherein the program code for calculating an increase to the credit bureau credit limit comprises program code for incorporating external data.

19. (Previously Presented) A computer program product for providing a credit card product, the computer program product comprising computer-readable media having computer-readable code, the computer program product comprising the following computer-readable program code for effecting actions in a computing platform:

program code for identifying an applicant for a credit card based upon a first response to at least a first risk-splitting question;

program code for selecting a second risk-splitting question based on the answer to the first risk-splitting question, wherein the second risk-splitting question is configured to elicit detailed information regarding subject matter associated with the first risk-splitting question;

program code for determining a credit limit associated with the credit card based on credit bureau information; and

program code for calculating a decrease to the credit limit based upon (a) the first response to the first risk-splitting question and a second response to the second risk-splitting question and (b) the credit bureau information.

20. (Previously Presented) The computer program product according to claim 19, wherein the program code for calculating the decrease to the credit limit further includes

program code for calculating the credit limit decrease based on external data obtained from an entity that is remote from the computer system

21. (Previously Presented) A method for providing a credit card product, said method comprising:

associating a financial account with an activated credit card that is provided to an applicant, wherein the associating is performed by a computer system configured to communicate with the applicant over a communication network;

generating, by the computer system, a first risk splitting question for provision to the applicant;

analyzing, by the computer system, a first response to the first risk splitting question;

generating, by the computer system, a second risk splitting question based on the first response for provision to the applicant, the second risk splitting question being configured to elicit detailed information regarding subject matter associated with the first response;

determining, by the computer system, a credit limit for the financial account based on the applicant's first response and a second response by the applicant to the second risk splitting question; and

increasing the credit limit.

22. (Previously Presented) The method according to claim 21, wherein associating the financial account includes:

generating, for the applicant, the financial account based on prior approval of the financial account based on credit bureau information.

23. (Previously Presented) The method according to claim 22, wherein the activated credit card is provided to the applicant without informing the applicant of a temporary credit limit.

24. (Previously Presented) The method according to claim 23, wherein generating the first risk splitting question includes generating information reflecting an invitation to the applicant to activate contact a credit card issuer by telephone.

25. (Previously Presented) The method according to claim 22, wherein generating the first and second risk splitting questions includes:
translating voice data reflecting the risk splitting questions provided by a person into a standardized format.

26. (Previously Presented) The method according to claim 22, wherein the first and second risk splitting questions are provided to the applicant through a voice recognition unit and the method further includes:

receiving the first and second responses in a standardized format.

27. (Previously Presented) The method according to claim 22, wherein said method further comprises:

confirming the first and second responses to the first and second risk-splitting questions.

28. (Previously Presented) The method according to claim 21, wherein determining the credit limit includes:

determining the credit limit based on credit bureau information and the first and second responses.

29. (Previously Presented) The method according to claim 21, wherein determining the credit limit further includes:

determining the credit limit based on external data obtained from an entity that is remote from the computer system.

30. (Previously Presented) The method according to claim 1, wherein generating the second risk splitting question based on the first response and a determination that a credit rating associated with the applicant meets a predetermined threshold value.

31. (Previously Presented) The method according to claim 1, wherein the first risk-splitting question comprises one of asking the applicant for the applicant's gross annual income, asking the applicant if the applicant has a car, asking the applicant if the applicant has a checking account, asking the applicant if the applicant owns a residence, asking the applicant for the applicant's monthly housing or rent payment, asking the applicant if the applicant has a car loan, or asking the applicant how many credit cards the applicant has.

32. (Previously Presented) The system according to claim 12, wherein the means for generating the second risk splitting question generates the second risk splitting question based on the first response and a determination that a credit rating associated with the applicant meets a predetermined threshold value.

33. (Previously Presented) The system according to claim 12, wherein the first risk-splitting question comprises one of asking the applicant for the applicant's gross annual income, asking the applicant if the applicant has a car, asking the applicant if the applicant has a checking account, asking the applicant if the applicant owns a residence, asking the applicant for the applicant's monthly housing or rent payment, asking the applicant if the applicant has a car loan, or asking the applicant how many credit cards the applicant has.

34. (Previously Presented) The computer program product according to claim 17, wherein the program code for selecting the second risk-splitting question is further configured to determine that the applicant's credit rating exceeds a threshold value before selecting the second risk-splitting question.

35. (Previously Presented) The computer program product according to claim 17, wherein the first risk-splitting question comprises one of asking the applicant for the applicant's gross annual income, asking the applicant if the applicant has a car, asking the applicant if the applicant has a checking account, asking the applicant if the

applicant owns a residence, asking the applicant for the applicant's monthly housing or rent payment, asking the applicant if the applicant has a car loan, or asking the applicant how many credit cards the applicant has.

36. (Previously Presented) The computer program product according to claim 19, wherein the program code for selecting the second risk-splitting question is further configured to determine that the applicant's credit rating exceeds a threshold value before selecting the second risk-splitting question.

37. (Previously Presented) The computer program product according to claim 19, wherein the first risk-splitting question comprises one of asking the applicant for the applicant's gross annual income, asking the applicant if the applicant has a car, asking the applicant if the applicant has a checking account, asking the applicant if the applicant owns a residence, asking the applicant for the applicant's monthly housing or rent payment, asking the applicant if the applicant has a car loan, or asking the applicant how many credit cards the applicant has.

38. (Previously Presented) The method according to claim 21, wherein generating the second risk splitting question based on the first response and a determination that a credit rating associated with the applicant meets a predetermined threshold value.

39. (Previously Presented) The method according to claim 21, wherein the first risk-splitting question comprises one of asking the applicant for the applicant's gross annual income, asking the applicant if the applicant has a car, asking the applicant if the applicant has a checking account, asking the applicant if the applicant owns a residence, asking the applicant for the applicant's monthly housing or rent payment, asking the applicant if the applicant has a car loan, or asking the applicant how many credit cards the applicant has.

Evidence Appendix to Appeal Brief Under Rule 41.37(c)(1)(ix)

There is no evidence being relied upon by Appellants in this appeal.

Related Proceedings Appendix to Appeal Brief Under Rule 41.37(c)(1)(x)

There are currently no other appeals or interferences, of which Appellants, Appellants' legal representative, or Assignee are aware, that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.